



Standard Contract Background and Instructions

(June 2011)

Background

The Department of Parks and Recreation (DPR) is required to have a current standard agreement that authorizes relationships with cooperating associations. This agreement or “contract” meets this requirement. The Department of General Services (DGS) oversees and approves all state contracting and this contract complies with DGS mandates.

Contract Negotiations

Department and association representatives need to meet in a good faith effort to understand contract language. This contract is designed to address a variety of needs and conditions for both the association and the department from a statewide perspective. All parties must recognize that modifying language that has been pre-approved by the Department of General Services is discouraged.

General Instructions

These instructions describe how to prepare a contract package for formal approval, and illustrate pages where custom information is needed. Specific contract language is only included for reference and language in the actual contract may vary. Generally speaking, once the DATA ENTRY SHEET FOR STD. AGREEMENT (Associations) form is completed, relevant information automatically appears in appropriate places in the contract.

The contract is designed to be prepared electronically as a “fillable pdf form”; double check the fields that are automatically filled in, because different versions of different software and computers behave differently.

Note: Signature blocks need personal signatures and handwritten dates may NOT be electronically completed. Additionally there are 4 sections of the contract that contain website links to required forms. Those sections are detailed later in these instructions. Be sure to click each link, complete the form, download the form and include it with the contract for final coping.

Be sure to delete unnecessary text or pages when preparing the final copy of the contract.

Electronic Completion

A current (2010 or later) version of Adobe Reader will help all the built-in features work better. Download the most current version of Adobe Acrobat reader at

<http://get.adobe.com/reader/>

Questions: Wayne Breece, Cooperating Associations Program Manager, (916) 654-5397, wbreece@parks.ca.gov

Cooperating Associations Program Standard Contract Instructions

DATA ENTRY SHEET FOR STD. AGREEMENT (Associations)

Agreement Number

Contact the Cooperating Associations Program Manager for a contract number. **Do not submit a contract for approval without a pre-assigned number.** Once entered on the, DATA ENTRY SHEET FOR STD. AGREEMENT (Associations) form, the contract number automatically appears at the right hand top of each page automatically.

This number must also be separately entered on the Insurance Requirements (Exhibit D, item 12.), Exhibit E, Annual Report, and Exhibit F Licensed Trademarks. Check to make sure the contract number is included at the top of all pages. If it does not appear, hand write the number if necessary.

Association Name: Enter the official name of the nonprofit organization.

Date Agreement Term Ends: The ending date of the contract must be in a **month, day and year** format (for example: October 1, 2012). The contract term may be from one to five years. The starting date is automatically “notice to commence.” *If using the maximum five year term, select an ending date that is 5 years from the date the association signs the contract.* The contract will technically begin when the association receives a “notice to commence” from the department, which will occur once the contract is approved by state parks or DGS.

Name and Title of Person (Contractor) Signing: Insert the name and title of whoever is signing the contract representing the association

YEAR Formed: Insert the year that the Association became an official cooperating association in California

State Park System Units served by the Association:

- Either: a) Insert the name(s) of the parks the association is supporting or b) describe the geographic scope of the contract.

CA State Parks Information

- Enter the name and contact information for the key state park person who will be primarily involved in implementing the contract. This person is normally the Department’s Cooperating Association Liaison (CAL).

Association Information

- Enter the name and contact information for the key association representative who will be primarily involved in implementing the contract. This person is normally the Association Executive Director or Chairperson of the board.

Fillable PDF Files: The following three exhibits are incorporated into the contract. Once each file is completed, print it out and physically incorporate each hard copy into the contract. Each exhibit has a unique version number or date. The version at the time of signing is the one that applies to any given contract.

**Cooperating Associations Program
Standard Contract Instructions**

**Instructions for
Exhibit D – #11 Insurance Requirements**

Exhibit D, Section 11 details the most common insurance requirements that associations must meet. This section also refers to the Users Guide for Contract Administration that provides a more comprehensive analysis of insurance requirements.

Exhibit D, Section 11 Insurance Requirements

- Click on the Insurance Requirement link
<http://www.parks.ca.gov/pages/735/files/Insurance%20Requirements%20Exhibit%20D%202011.02.09.pdf> download the Adobe pdf version of Insurance Requirements from the DPR website.
- Fill out the top of page one with Association name and Association Contract Number. Page 2 will automatically populate with this information.
- No signature needed; once the top lines on page 1 are completed with name and contract number, print out a hard copy of both pages and include one hard copy with each of the four contracts.

**Instructions for completing
Exhibit E -- Annual Report**

Exhibit E is an example of the Cooperating Association Annual Report (DPR 973) which the Association will submit annually.

Click on the Exhibit E link

<http://www.parks.ca.gov/pages/735/files/DPR973%20EXHIBIT%20E%202011.02.11.pdf> to download the Adobe pdf version of Exhibit E from the DPR website.

Fill out the top of page one with Association name and Association Contract Number.

Include the latest copy of Exhibit E DPR 973 (5 pages). The **pdf report can not be electronically filled out and should not be used for submitting an annual report.**

For the latest copy of the DPR 973 (that is NOT in Exhibit E format), go to the DPR Share folder or the DPR web site http://www.parks.ca.gov/default.asp?page_id=22337.

No signature needed; once the top two lines are completed, print out all four pages and include one hard copy with each of the four contracts.

Instructions for completing Exhibit F -- Licensed Trademarks

Exhibit F licenses the use of the DPR Logo, a licensed trademark, to the association. This exhibit is the specific language of the Cooperating Association license which authorizes use of the DPR Logo only.

Other trademarked property

Association use of other Department intellectual property (such as historic photos or images from the Photo Archives) or Department use of association intellectual property will require a separate contract that is applied in a case-by-case basis.

Exhibit F Instructions

Click on the Exhibit F link <http://www.parks.ca.gov/pages/735/files/logo%20license%2010-19-2010%20final.pdf> to download the Adobe pdf version of Exhibit F from the DPR website.

Fill out the top of page one with Association name and Association Contract Number.

On line 9 following the words California State Parks Logo insert State Park names and any registered Department trademarks other than the logo to be used by the Association. Do not insert "California State Parks," or "Department of Parks and Recreation."

On line 12 following the word "until" insert the ending date (term) indicated on page 1 (STD 213) of contract.

No signature needed; once the lines on page 1 are completed, print out a hard copy of both pages and include one hard copy with each of the four contracts.

Instructions for completing Contractor Certification Clauses (CCCs)

Background

The CCCs are created by the Department of General Services (DGS). They are not physically part of the contract, but they are a supporting document in the contract package and each contracting association must execute them.

Distribution

The Association representative signs three copies, keeps one for its records. DPR will keep one copy on file at the District and send one copy, along with the contract to DPR HQ. The CCCs are not physically part of the contract. Approved CCCs are not distributed to DGS.

Technically the **CCCs are incorporated by reference** into the General Terms and Conditions **(GTCs) that are incorporated in the standard contract as Exhibit C.** In signing the contract, the Association is accepting Exhibit C. Therefore the CCCs become part of Exhibit C of the standard contract "by reference." They are an attachment to the contract when it is formally processed, similar to the **Insurance Certificate.**

**Cooperating Associations Program
Standard Contract Instructions**

Amendments

CCC amendments, if any, must be directed to and approved by DGS. CCC amendments are discouraged.

Viewing and Downloading the CCCs

Because the CCCs may need to be changed, the most current version must be downloaded from the DGS website at <http://www.ols.dgs.ca.gov/Standard+Language/default.htm>.

Renewal

After the initial signing, the CCCs are downloaded and renewed on a three-year cycle. This action is independent of, but related to, contract approval.

For example, if a contract has a five (5) year term, the CCCs would need to be signed when the contract is signed (year one) and again before the beginning of year four.

Example for completing the Contractor Certification Clauses

CERTIFICATION

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective Contractor to the clause(s) listed below. This certification is made under the laws of the State of California.

Contractor/Bidder Firm Name (Printed) <i>(Insert full Association name)</i>		Federal ID Number <i>(insert Association #)</i>
By (Authorized Signature) <i>Association Signature</i>		
Printed Name and Title of Person Signing: <i>(Association official)</i>		
Date Executed: <i>(insert current date)</i>	Executed in the County of: <i>(insert county name)</i>	

1. CONTRACTOR CERTIFICATION CLAUSES

(Sections deleted to save space)

. PAYEE DATA RECORD FORM STD. 204

This form must be completed by all contractors that are not another state agency or other government entity. *(Note: Because this is a zero dollar contract, the STD 204 form is NOT applicable to this contract.)*

**Cooperating Associations Program
Standard Contract Instructions**

Assembling the Contract

Once the contract is completed, assemble four contract copies with original signatures into one contract package. The pdf files contain or reference the following elements:

- Standard Contract, STD 213
- Exhibit A, Scope of Work, including the Attachment
- Exhibit D, Special Terms and Conditions, including
 - Insurance Requirements
- Exhibit E, Cooperating Association Annual Report (DPR 973)
- Exhibit F, including
 - Exhibit F, License/Permission for Use of Trademarks
 - Attachment 1
- Note: Neither Exhibit B (because this is a “zero dollar” contract) nor Exhibit C, (incorporated by reference) are included.
- District Recommendation and DGS Exemption Certification (one co for the entire package)

Each contract package must contain one copy, with original signatures, of:

- Valid insurance certificate (Acord, or similar form) (1 copy to HQ)
- Contractor Certification Clauses (DGS form) (2 copies - District and HQ)
- District Recommendation and DGS Exemption Certification (1 copy to HQ)

New Associations

If the contract is with a new association, see the Check List for additional items needed.

Contract Approval

District Recommendation and DGS Exemption Certification

District Recommendation (top half)

All cooperating association contracts need District Superintendent recommendation. The District Superintendent signs/dates to indicate their recommendation that the Director approve the contract.

DGS Exemption Certification (bottom half)

Some cooperating association contracts also need approval from DGS. Contracts needing DGS approval include:

- Contracts with annual net income profits greater than \$50,000, if the profits are from sales and services. (Income from donations, grants, dues, and interest does not apply.)
- All contracts with addenda.

Note: DGS will charge the district a document review fee for any contract they review. The Cooperating Associations Program Manager signs/dates this certification and checks the appropriate box.

Cooperating Associations Program Standard Contract Instructions

Originally Signed Copies

Four copies of the contract each with an original signature and date must be submitted.

To accomplish this:

- Prepare one copy of all hard copies of the contract per these instructions.
- Make 3 additional copies, 2 sided copying is acceptable.
- Staple or clip each copy together
- Assemble all 4 copies for final signature by the Director.

Once signed by the director, the copies will be distributed to the association, DPR Central Records, the Cooperating Associations Program Manager, and the district office. If the contract must be sent to DGS for approval, the district office will receive a photocopy of the contract.

The CAL or designee will send the complete Contract Package to:

California State Parks
Attn: Interpretation and Education Division,
Cooperating Associations Program Manager
P.O. Box 942896
Sacramento, CA 94296-0001

Questions: TEL: (916) 654-5397, FAX: (916) 654-9048
E-mail: wbreece@parks.ca.gov

Standard Contract Check List

✓	Contract Element	# of Copies	Comments
	Standard Contract (STD 213, rev 6/11)	4 copies, each with an original signature	<i>Use as page 1</i>
	Exhibit A Scope of Work including Attachment 1	4 copies, no signature required	<i>CSP language</i>
	Exhibit B Budget Detail	None	<i>Not applicable for these contracts</i>
	Exhibit C General Terms and Conditions (GTCs)	None Do NOT attach any copies, no signature required. (Incorporated by reference)	<i>Standard DGS language. This includes the Contractor Terms and Conditions (CCCs). This document is available via the DGS website www.ols.dgs.ca.gov/Standard+Language/default.htm.</i>
	Exhibit D Special Terms and Conditions	4 copies, no signature required	<i>DPR language</i>
	Exhibit D Insurance Requirements	4 copies, no signature.	Download, complete top portion, print, incorporate into contract
	Exhibit E Cooperating Association Annual Report	4 copies, no signature required	<i>Use most current version of Exhibit E DPR 973. Do not fill out.</i> Download, complete top portion, print, incorporate into contract
	Exhibit F Licensed Trademarks	4 copies, no signature required	Download, complete all portions, print, incorporate into contract.
	Contractor Certification Clauses (CCCs)	2 copies, each with an original signature 1 copy – District 1 copy – HQ (Incorporated by reference)	<i>Separate document that is standard DGS language. This document is available via the DGS website www.ols.dgs.ca.gov/Standard+Language/default.htm. Signed by association representative once every three years and kept on file.</i>
	Certificate of Insurance	1 copy	<i>Endorsements needed regarding: State of California named additional insured</i>
	District Recommendation and DGS Exemption Certification	one copy with original signature	<i>Certifies District Superintendent endorsement of contract and if DGS must approve contract.</i>
	If new association: <ul style="list-style-type: none"> Articles of Incorporation Bylaws Letter of Determination (IRS) Board Roster 	1 copy of each document	<ul style="list-style-type: none"> Articles certified by the Secretary of State. Current bylaws Determination letters must be current. (IRS sends an initial & a final letter of determination.) Current board roster

**Instructions for completing
Standard Contract (STD 213)**

STATE OF CALIFORNIA

STANDARD CONTRACT

STD 213 (Rev 06/03)

Submit 4 copies each with an original signature/date on all copies

Use the latest copy of this form.

CONTRACT NUMBER

(Contact I & E Div. for number)

REGISTRATION NUMBER

(N/A because this is a zero dollar contract)

1. This Contract is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME

Department of Parks and Recreation (Department)

CONTRACTOR'S NAME

Insert the full name of the association (Association) Leave the word "(Association)" in parentheses.

2. The term of this notice to commence through month/day/year
Contract is: (5 year maximum term)

3. The maximum amount \$ Zero dollars
of this Contract is:

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Contract.

Exhibit A – Scope of Work	1 page
Attachment 1	17 pages
Exhibit B – Budget Detail and Payment Provisions	N/A

Exhibit C* – General Terms and Conditions	GTC 610
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Check mark one item below as Exhibit D:

<input checked="" type="checkbox"/>	Exhibit - D Special Terms and Conditions (Attached hereto as part of this contract)	8 page(s)
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<input type="checkbox"/>	Exhibit - D* Special Terms and Conditions	
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Exhibit E – Additional Provisions	1 page(s)
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Exhibit F – Licensed Trademarks	5 pages
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Items shown with an Asterisk (*), are hereby **incorporated by reference** and made part of this contract as if attached hereto.

These documents can be viewed at www.ols.dgs.ca.gov/Standard+Language

IN WITNESS WHEREOF, this Contract has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

(insert Association Name)

BY (Authorized Signature)

Signature of Association Officer

DATE SIGNED(Do not type)

(write in the date signed)

PRINTED NAME AND TITLE OF PERSON SIGNING

Print the name and title of the association officer

ADDRESS

(insert mailing address, including City, State, Zip Code)

STATE OF CALIFORNIA

AGENCY NAME

Department of Parks and Recreation

BY (Authorized Signature)

Director Signature

DATE SIGNED(Do not type)

(write in the date signed)

PRINTED NAME AND TITLE OF PERSON SIGNING

Anthony I Perez, Chief Deputy Director, Department of Parks and Recreation

ADDRESS

1416 9th Street, Room 1431, Sacramento, CA 95814

**California Department of General
Services Use Only**

☐ Exempt per: Exemption _____

☐ Contractor ☐ State Agency – Dept. of Parks and Rec. ☐ Dept. of General Services

Exhibit B **Budget Detail**

Exhibit B is not applicable because this standard contract is a “zero dollar” contract (i.e. no state dollars are going from the state to a contractor). No action is needed other than to note Exhibit B as “N/A” on the STD 213 cover page.

Exhibit C **General Terms and Conditions**

The General Terms and Conditions (GTCs) contain standard contract language applicable to all state contracts. The Department of General Services (DGS) develops and formally approves this language.

Viewing and Downloading the GTCs

Because DGS may change the GTCs, cooperating associations and other state contractors are directed to download the most current copy from the DGS website at:

<http://www.ols.dgs.ca.gov/Standard+Language/default.htm>

By signing the contract with Exhibit C noted on the STD 213 cover page, the Association and the State are certifying that they accept the GTCs and are **incorporating the GTCs by reference into the contract**. DGS maintains archive versions of all GTCs by date. Contractors/state agencies may maintain their own copies, but this is not required.

NOTE: Printed copies of the GTCs are NOT to be included with the contract.

Amendments

DGS periodically amends the GTCs. Proposed GTC amendments are discouraged, but if there are any, they must be directed to and approved by DGS.

Instructions for providing a valid **Certificate of Insurance**

An insurance certificate (an ACORD form or similar insurance certificate) is needed annually that contains specific endorsements and conditions. The Exhibit D, Section 11 Insurance Requirements for details of what is needed on each certificate. That Exhibit is located at

<http://www.parks.ca.gov/pages/735/files/Insurance%20Requirements%20Exhibit%20D%202011.02.09.pdf>.

Only one copy of the certificate of insurance form is needed with each contract package.

Instructions for completing the
District Recommendation and DGS Exemption Certification

District Recommendation and DGS Exemption Certification

(Note: This is a tracking document only, not officially part of the legal contract. Return only one copy of this document with the contract package.)

District Recommendation *(note: The district may only recommend approval and can not formally approve this Contract.)*

STATE OF CALIFORNIA

Department of Parks and Recreation

I recommend this Contract for the Director's approval and signature.

BY: District Superintendent Signature

TITLE: District Superintendent
California Department of Parks and Recreation

DATE: (write in date)

DGS Exemption Certification and Approval

Interpretation and Education Division Certification

(Note: The Cooperating Associations Program Manager will complete this section.)

☐ All DGS conditions for exemption have been met. This Contract qualifies for exemption from the Department of General Services.

or

☐ Because the net value of this contract is more than \$50,000 annually and/or there are addenda to the standard approved Contract language, this Contract does NOT qualify for exemption and requires Department of General Services approval.

BY: Program Manager Signature

TITLE: Cooperating Associations Program Manager

DATE: (write in date)

Making Contract Changes

Changing the standard language is discouraged, but possible. Changes must be made using an addendum, attached to the back of the contract. Mark the page and highlight the contract section to be changed. Clearly show what language is being added and/or deleted on each addendum.

Each addendum must include a brief justification explaining why the change in language is being proposed. The explanations are not part of the contract language, but are retained with each copy of the contract. Addenda do not need separate signature blocks. Once content is mutually agreed upon, addenda need to follow a specific format. Contact the Cooperating Associations Program Manager for details.

End of Contract Instructions